



STAFF ANALYSIS

STATE PUBLIC WORKS BOARD

Friday, January 15, 2021 at 10:00 a.m.

This meeting will take place virtually and can be accessed through the following link or phone numbers*:

<https://zoom.us/j/97094733503?pwd=OERENVpRVjY2OTY2VzBsSVBUZTlvZz09>

Meeting ID: 970 9473 3503

Passcode: 6X*ULA2M

Or

Phone: (669) 219 2599**

(669) 900 9128**

(213) 338 8477**

Meeting ID: 970 9473 3503

Passcode: 64486251

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*Due to the Governor's proclamation of a State of Emergency resulting from the threat of COVID-19, and pursuant to the Governor's Executive Order N-29-20, issued March 17, 2020, the Board meeting will take place virtually on January 15, 2021. Members of the Board will participate in this meeting remotely via telephonic or video conference. The meeting may be observed through the Zoom link and telephone number identified above. If using the Zoom platform, please install the Zoom application and enter the virtual conference room prior to the 10:00 a.m. meeting start time. Members of the public may participate through telephone, the Zoom platform, or by submitting public comment in advance. If members of the public wish to submit comments in advance, the Board asks members of the public to provide written comments to Kat.Lee@dof.ca.gov prior to the meeting. To the extent possible, all written comments will be distributed to the members of the Board prior to the meeting.

** This phone number **IS NOT** a toll free number.

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the State Public Works Board website. [Please click here to view](#). The full Board member briefing package is available upon request. Please send an email to Kat.Lee@dof.ca.gov.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kat Lee at (916) 445-9694 or e-mail to Kat.lee@dof.ca.gov, five days prior to the meeting.

MINUTES

Consider approving the minutes from the December 11, 2020 meeting.

Staff have reviewed the minutes from the December 11, 2020 meeting and recommend approval.

Staff Recommendation: **Approve minutes from the December 11, 2020 meeting.**

ACTION ITEMS

ACTION ITEM—1

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 TULARE COUNTY

*Authority: 2012 Budget Act, Item 2665-306-0890 (1) as reappropriated by the 2018 Budget Act
2012 Budget Act, Item 2665-306-6043 (1) as reappropriated by the 2018 Budget Act
2014 Budget Act, Item 2665-306-3228 (1)
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider rescinding the following Resolutions of Necessity (RONs) authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following properties or interests in property for the High Speed Train System:

- 1) RON 2015-0123
Breckenridge Property (Tulare County)
Authority Parcel Number: FB-54-0362-1
Assessor Parcel Number: 291-070-008**
- 2) RON 2015-0088
Stiefvater Property (Tulare County)
Authority Parcel Number: FB-54-0364-1
Assessor Parcel Number: 291-080-006**

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Tulare County

Action Requested

If approved, the requested action would rescind Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties or interest in properties for the High Speed Train System.

Breckenridge Property: On April 10, 2015, the Board adopted Resolution of Necessity 2015-0123 authorizing the use of eminent domain to acquire a portion of the Breckenridge property for the construction of grade separations at Avenues 128 and 112. Since that time, the High Speed Rail Authority has adopted a redesign to remove the Avenue 112 grade separation, which results in this property no longer being necessary for the High Speed Train System (HSTS).

Stiefvater Property: On April 10, 2015, the Board adopted Resolution of Necessity 2015-0088 authorizing the use of eminent domain to acquire a portion of the Stiefvater

property for the construction of grade separations at Avenues 128 and 112. Since that time, the High Speed Rail Authority has adopted a redesign to remove the Avenue 112 grade separation, which results in this property no longer being necessary for the High Speed Train System (HSTS).

Staff Recommendation: Approve the rescission of Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire the above-described properties or interests in properties for the HSTS.

ACTION ITEM—2

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 VARIOUS COUNTIES

*Authority: 2012 Budget Act, Item 2665-306-0890 (1) as reappropriated by the 2018 Budget Act
2012 Budget Act, Item 2665-306-6043 (1) as reappropriated by the 2018 Budget Act
2014 Budget Act, Item 2665-306-3228 (1)
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following properties or interests in property for the High Speed Train System:

- 1. Solorio Property (Madera County)**
Authority Parcel Number: MF-20-1296-1
Assessor Parcel Number: 037-010-004
- 2. Jones Property (Madera County)**
Authority Parcel Number: MF-20-1297-1
Assessor Parcel Number: 037-010-056
- 3. Basraon Property (Fresno County)**
Authority Parcel Number: FB-10-1495-1
Assessor Parcel Number: 385-111-11S
- 4. Stapleton - Spirit of Women of California Property (Fresno County)**
Authority Parcel Number: FB-10-1629-1
Assessor Parcel Number: 458-131-17
- 5. DCTN3 388 Fresno Parcel (Fresno County)**
Authority Parcel Number: MF-10-1055-1
Assessor Parcel Number: 504-081-49S
- 6. Dias Property (Kings County)**
Authority Parcel Numbers: FB-16-1058-1 and FB-16-1058-2
Assessor Parcel Number: 028-160-036
- 7. Alpaugh Property (Tulare County)**
Authority Parcel Numbers: FB-54-0541-1 and FB-54-0542-1
Assessor Parcel Number: 313-070-001
- 8. Alpaugh Property (Tulare County)**
Authority Parcel Numbers: FB-54-1115-1 and FB-54-1116-1
Assessor Parcel Number: 313-050-013

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties or interest in properties 1 through 4, 7, and 8 for the High Speed Train System.

Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting Resolutions of Necessity that are required for the Authority to initiate eminent domain proceedings. To adopt a Resolution of Necessity the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

The properties are within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and are within the preferred alignment as previously approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of these properties will allow the Authority to move forward with construction of the High Speed Train System (HSTS).

The Authority notified the Board's staff that in July 2020 through November 2020, the respective property owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has informed the Board's staff that negotiations to acquire the property are continuing; however, to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required at this time.

On December 22, 2020, and December 29, 2020, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Solorio Property (Madera County)

Authority Parcel Number: MF-20-1296-1

Assessor Parcel Number: 037-010-004

Partial Acquisition: Approximately 0.48 acre in fee

The property interest identified by the Authority Parcel Number is needed for an expansion of the HSR corridor North of Avenue 17 and East of Road 27 in Madera.

2. Jones Property (Madera County)

Authority Parcel Number: MF-20-1297-1

Assessor Parcel Number: 037-010-056

Partial Acquisition: Approximately 0.75 acre in fee

The property interest identified by the Authority Parcel Number is needed for an expansion of the HSR corridor North of Avenue 17 and East of Road 27 in Madera.

3. Basraon Property (Fresno County)

Authority Parcel Number: FB-10-1495-1

Assessor Parcel Number: 385-110-11S

Partial Acquisition: Approximately 1.09 acres in easement

The property interest identified by the Authority Parcel Number is needed for a temporary construction easement for HSR corridor construction along the BNSF railroad between E. Kamm Ave and E. Conejo Ave in Fresno.

4. Stapleton - Spirit of Women of California Property (Fresno County)

Authority Parcel Number: FB-10-1629-1

Assessor Parcel Number: 458-131-17

Partial Acquisition: < 0.01 acre in easement

The property interest identified by the Authority Parcel Number is needed for an AT&T utility easement along W. Belmont Avenue.

5. DCTN3 388 Fresno Parcel (Fresno County)

Authority Parcel Number: MF-10-1055-1

Assessor Parcel Number: 504-081-49S

Property Pulled

6. Dias Property (Kings County)

Authority Parcel Numbers: FB-16-1058-1 and FB-16-1058-2

Assessor Parcel Number: 028-160-036

Property Pulled

7. Alpaugh Property (Tulare County)

Authority Parcel Numbers: FB-54-0541-1 and FB-54-0542-1

Assessor Parcel Number: 313-070-001

Partial Acquisition: Approximately 0.04 acre in easement

The property interest identified by the Authority Parcel Numbers is needed to adjust an existing PG&E electrical line where it crosses the proposed HSR corridor. The permanent easements are located along the southern line of Alpaugh Irrigation District reservoir #3 and the north line of Avenue 68 west of Highway 43.

8. Alpaugh Property (Tulare County)

Authority Parcel Numbers: FB-54-1115-1 and FB-54-1116-1

Assessor Parcel Number: 313-050-013

Partial Acquisition: Approximately 2.38 acres in easement

The property interest identified by the Authority Parcel Numbers is needed for two temporary construction easements for work space during construction of the HSR corridor. They are located along the southern line of Alpaugh Irrigation District reservoir #2, north of Avenue 56 west of Highway 43.

Staff Recommendation:

Adopt Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire the above-described properties or interests in properties for the HSTS.

OTHER BUSINESS
NONE

GENERAL PUBLIC COMMENT

REPORTABLES

Reportable Items

For the January 15, 2021 Board Meeting

Actions Authorized by Staff from December 1, 2020 through January 4, 2021

As Authorized by Resolution of the Board dated December 13, 2019

<u>Department/Org Code</u>	<u>Project Title</u>	<u>Project Authority</u>	<u>Action</u>	<u>Amount/(Percent)</u>
Department of State Hospitals (4440)	Atascadero State Hospital – Potable Water Booster Pump System, San Luis Obispo County	2019 Budget Act, 4440-301-0001 (1); 2020 Budget Act, 4440-301-0001 (1)	Approve an augmentation	\$20,000 (5.8 percent of total project appropriations, 5.8 percent cumulative)
Department of Corrections and Rehabilitation (5225)	California Institution for Men – 50-Bed Mental Health Crisis Facility, San Bernardino County	2017 Budget Act, Item 5225-301-0001 (9); 2018 Budget Act, Item 5225-301-0001 (8), as reappropriated by the 2019 Budget Act; 2020 Budget Act, Item 5225-301-0660 (1)	Approve an augmentation	\$598,000 (0.6 percent of total project appropriations, 0.6 percent cumulative)
Department of Corrections and Rehabilitation (5225)	Correctional Training Facility – Administrative Segregation Cell Door Retrofit, Monterey County	2007 Budget Act, 5225-301-0001 (4); 2008 Budget Act, 5225-301-0001 (5); 2017 Budget Act, 5225-301-0001 (6); 2019 Budget Act, 5225-301-0001 (2)	Approve an augmentation	\$1,626,000 (9.1 percent of total project appropriations, 9.1 percent cumulative)